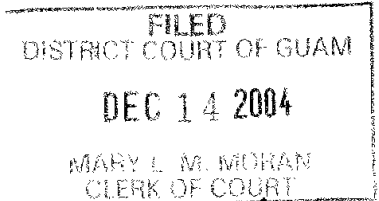


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Attorneys for Plaintiff
DAVID J. LUBOFSKY



IN THE U.S. DISTRICT COURT
OF GUAM

DAVID J. LUBOFSKY,

CIVIL CASE NO. 04-00031

Plaintiff,

vs.

~~PROPOSED~~ SCHEDULING
ORDER

GOVERNMENT OF GUAM;
GOVERNMENT OF GUAM
RETIREMENT FUND

Defendants.

~~PROPOSED~~ SCHEDULING ORDER

Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, and Rule 16.1 of the Local Rules of Practice for the District Court of Guam, the parties hereby submit the following Amended Scheduling Order:

1. The nature of the case is as follows:

Damages for Racial Employment Discrimination; Breach of Statutory & Implied Contract; and Negligence.

ORIGINAL

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2. The posture of the case is as follows:

a) The following motions are on file (pending):

None.

b) The following motions have been resolved:

Not applicable.

c) The following formal discovery has been initiated:

None at the present time.

3. All Motions to add parties and claims shall be filed on or before:

July 1, 2005.

4. All Motions to amend pleadings shall be filed on or before:

July 1, 2005.

5. Status of Discovery:

The Discovery Plan (filed concurrently herewith) is adopted and incorporated as part of this Scheduling Order.

6. The parties shall appear before the District Court on December 13, 2004 at 2:00 p.m. for the Scheduling Conference.

7. The discovery cut-off date (defined as the last day to file responses to discovery) is: June 3, 2005.

8. a) The anticipated discovery motions are:

None at this time.

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- b) All discovery motions shall be filed on or before June 17, 2005.

These motions will be heard on or before July 5, 2005.

- c) All dispositive motions shall be filed on or before July 19, 2005 and heard on or before August ¹⁶~~2~~, 2005.

9. The prospects for settlement are:

Unknown at this time.

10. The Preliminary Pretrial Conference shall be held on ^{September 6}~~August 8~~, 2005 at 10:00 a.m. (no later than 21 days to trial date).

11. The parties' pretrial materials, discovery materials, witness lists, designations and exhibit lists shall be filed on or before ^{September 13}~~August 15~~, 2005 (no later than 14 days prior to Trial).

12. The Proposed Pretrial Order shall be filed on or before ^{September 13}~~August 15~~, 2005 (no later than 14 days prior to Trial).

13. The Final Pretrial Conference shall be held on ^{September 20}~~August 22~~, 2005 at 10:00 a.m. (no later than 7 days prior to Trial).

14. The Trial shall be held on ^{September 27}~~August 29~~, 2005 at 9:00 a.m.

15. The Plaintiff seeks a jury trial.

16. It is anticipated that it will take two to three (2-3) days to try this case.

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17. The names of counsel on this case are:

A. Alexander Gorman, Esq., for Plaintiff David J. Lubofsky;
Robert Weinberg, Esq., for Defendant Government of Guam; and
Patrick J. Mason, Esq., for Defendant Government of Guam Retirement
Fund.

18. The Parties are amenable to submitting this case to a settlement
conference.

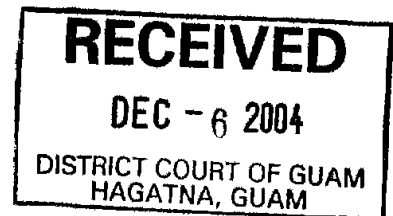
19. The parties present the following suggestions for shortening trial:
None at this time.

20. The following issues will affect the status or management of the case:
Unknown at this time

Dated: December 31st, 2004.


JOAQUIN V.E. MANIBUSAN, JR.
Magistrate Judge

APPROVED AS TO FORM AND CONTENT:



LAW OFFICES OF GORMAN & GAVRAS


Dated: December 6, 2004.

BY: 
A. ALEXANDER GORMAN, ESQ.
Attorneys for Plaintiff
DAVID J. LUBOFSKY

Lubofsky v. Government of Guam, et al., Civil Case No. 04-00031
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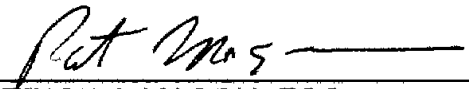
OFFICE OF THE ATTORNEY GENERAL
OF GUAM

Dated: December 9, 2004.

BY: 
ROBERT WEINBERG, ESQ.
Attorneys for Defendant
GOVERNMENT OF GUAM

CARLSMITH BALL, LLP

Dated: December 6, 2004.

BY: 
PATRICK J. MASON, ESQ.
Attorneys for Defendant
GOVERNMENT OF GUAM
RETIREMENT FUND